## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 1 of 40 WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: <u>6-27-06</u>	Marya adoms Signature MARYAADAMS	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify the	at you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 2 of 40

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12 June de

g in he Collien y Helen E. adrean

Eugene M. Advian Jr., Helew E. ADRIAN
Printed/Typed Nama

If you are acting on behalf of any entity, identify that you are

acting as: Trustees of

(Title)

ADRIAN FAMILY TRUST

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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1		
2	IN THE UNITED STATES FOR THE DISTRICT	
3	UNITED STATES OF AMERICA,	)
5	Plaintiff,	)
6	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125
7	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
<u>.</u>	vs.	ý
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) ) )
10	NOTICE OF APPEARANCE AND I	NTENT TO PARTICIPATE
11	I hereby enter my appearance in this s	sub-proceeding in this case.
12	2. I am filing this document with the Dis	strict Court at the following address:
13	_	3
14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16		my Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:	
18	Susan L. Schneider	
19	Attorney for the United States of Ame United States Department of Justice	
20	Environment & Natural Resources Di P.O. Box 756	vision
21	Littleton, Colorado 80160	ation) and a formula of the stimula
22	·	cting) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the co	•
24	in the Notice in Lieu of Summons or in the service of	the Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am ac	cting) have retained an attorney to represent
26	me in these proceedings, I identify that attorney belo	ow, along with his or her mailing address,
27	telephone number, and facsimile number:	
28		
	NOTICE OF APPEARANCE AND INTENT TO PAR	ricipate, page 1 of 2

# Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/96 Page 4 of 40

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1	Attorney:
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3	Address:
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6	Phone Number:
7	Fax Number:  Fax Number:  Fax Number:  Fax Number:
8	Lugan by Colours.
9	(Signature)
10	Helen E. ADRIAN
11	Eugene M. Adrian Je
12	(Printed or typed Name)
13	
14	TRUSTEES
15	(Entity, if any, on whose
	behalf you are appearing)
16	ADRIAN FAMILY
17	TRUST
18	(Address)
19	<u>775-463-2636</u> (Telephone number)
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21	506 Madden Ln. Yerington NV. 89447
22	Jering 1012
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## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 5 of 40

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 7-2-06

Signature

SUSAN S. AIKEN

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnefship or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons or to the service of the Notice in Of Summons, and may later object to the jurisdiction of the court or to the place where the action has been brought.

1		
2	IN THE UNITED STATES I FOR THE DISTRICT	
3	UNITED STATES OF AMERICA,	)
4	Plaintiff,	)
5	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
7	vs.	)
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) )
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11.	1. I hereby enter my appearance in this su	b-proceeding in this case.
12	I am filing this document with the Dist	•
13	Chief Deputy Clerk United States District Court for the	
14 15	District of Nevada 400 South Virginia Street, Suite 301	
16	Reno, Nevada 89501	
17	3. In the envelope provided for return of r	ny Waiver of Service of Notice in Lieu of
18	Summons. I am mailing a copy of this document to:	·
19	Susan L. Schneider Attorney for the United States of Amer	ica
20	United States Department of Justice Environment & Natural Resources Divi	
21	P.O. Box 756 Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am ac	ting) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the cou	rt except for objections based on a defect
24	in the Notice in Lieu of Summons or in the service of t	he Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am act	ing) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below	v, along with his or her mailing address,
27	telephone number, and facsimile number:	
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## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 7 of 40

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1	Attorney:	
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3	Address:	
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б	Phone Number:	
7	Fax Number:	Sugar D. Aiken
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9		(Signature)
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11		SUSAN S. AIKEN
12		(Printed or typed Name)
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14		do it is
15		(Entity, if any, on whose behalf you are appearing)
16		BUSAN SI AIKEN
17		30 Sunnygrove DR
18		(Address) (715) 463-1878
19	·	(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 8 of 40

THERE IS NO EXHIBIT 4.

## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 9 of 40

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### Susan L. Schneider, attorney for the United States of America TO:

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Summons or in the service of the Notice in Lieu of Summons.

kine 20,2006

JOHN W. Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

## Case 3: \$\frac{1}{3}\text{-cv-00127-MMD-CSD Document 3 Filed 11/13/\text{-06 Page 10 of 40}}

1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125 6 Plaintiff-Intervenor. SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 1.0 11 1. I hereby enter my appearance in this sub-proceeding in this case. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons. I am mailing a copy of this document to: 13 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 . I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 5. 25 If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings. I identify that attorney below, along with his or her mailing address, telephone number, and facsimile number: 27 28 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

# Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/96 Page 11 of 40

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1	Attorney:	
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6	6 Phone Number:	
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. 8	8 (Signature)	
9	9 (Signature)	
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13	al sao Family Revor	able Irii
14	(Entity, if any, on whose	uoce zu
15	5 hehalf you are appearing)	2 1
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17	(Address)	<u> </u>
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## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 12 of 40

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.

Date: 6-15-06

Signature/

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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## Case 3:73-cy-00127-MMD-CSD Document 3 Filed 11/13/06 Page 13 of 40

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### TO: Susan L. Schneider, attorney for the United States of America

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Date: 06-24-06

- [V] [7] [C] \_\_\_

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: \_\_\_\_\_(Title)

(Corporate, Trust, Partnership or other entity)

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## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 14 of 40

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Date: 6-8-06

Signature

W6212125

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

of

(Title)

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 Plaintiff-Intervenor, SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT. 9 a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 1. I hereby enter my appearance in this sub-proceeding in this case. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons. I am mailing a copy of this document to: 18 Susan L. Schneider 19 Attorney for the United States of America United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 25 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings. I identify that attorney below, along with his or her mailing address, 26 telephone number, and facsimile number: 27 28

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

# . Case 3: 73-cv-00127-MMD-CSD Document 3 Filed 11/13<del>/0</del>6 Page 16 of 40

1	Attorney:	
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9		(Signature)
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11		MORRIESC, HUDERSEN
12		(Printed or typed Name)
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## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 17 of 40

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 7-4-2006

Signature

DARFELLE, GROERS 6N

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place of in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service "the Notice in Lieu of Summons or to the service of the Notice in of Summons, and may later object to the jurisdiction of the court or to the place where the action has been brought.

## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 18 of 40

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### TO: Susan L. Schneider, attorney for the United States of America

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Date: \$\frac{5\sqrt{5}}{6}\$

Signature

Fruite A. Angeles

Printed/Typed Name

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(Title)

(Corporate, Trust, Partnership or other entity)

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# Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 19 of 40

1	Attorney: Susan L Schneider
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3	Address: Po box 756
4	Address: Po box 756 Littleto CO 80160
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6	Phone Number:
7	Fax Number:
8	Ellie a Chief
9	(Signature)
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11	Ernie A Angeles
12	(Printed or typed Name)
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15	(Entity, if any, on whose
16	behalf you are appearing)
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## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 20 of 40

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Date:  $\frac{1}{20}$  © Z

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

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1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA, 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 Plaintiff-Intervenor. SUBFILE NO. C-125-B 7 vs. 8 WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons, I am mailing a copy of this document to: 13 Susan L. Schneider 19 Attorney for the United States of America United States Department of Justice 20 Environment & Natural Resources Division P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 23 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings. I identify that attorney below, along with his or her mailing address, 26 telephone number, and facsimile number: 27 28

# Case 3: 73-cv-00127-MMD-CSD Document 3 Filed 11/13/96 Page 22 of 40

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8		Jan Jan
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11		SAM S. ARENTZ TO
12		(Printed or typed Name)
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14		(Entity, if any, on whose
15		behalf you are appearing)
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17		(Address)
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Date: 7/20/06

Signature

Printed/Typed Name

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(Title)

(Corporate, Trust, Partnership or other entity)

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# Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 25 of 40

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11		Trudie C. Arente
12		(Printed or typed Name)
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15		(Entity, if any, on whose behalf you are appearing)
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18		(Address) 775-424-8345
19		(Telephone number)
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## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 26 of 40

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Date: 6-15-06

Signature

DAVID E. ARMSTRONG

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13<del>/0</del>6 Page 27 of 40

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Date: 6-15-06

Signature MARGE A. APMSTN Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

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Date: July 10, 2006	Signature John G. Atwood, Jr.	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you	ı are
	acting as:	_ of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

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1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125 6 Plaintiff-Intervenor. SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT, 9 a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons. I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 21 Littleton, Colorado 80160 4 I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 telephone number, and facsimile number: 27 28

## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 30 of 40

1	Attorney:	
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3	Address:	
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6	Phone Number:	
7	Fax Number:	
8		John D. Away b.
9.		(Signature)
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11		John C. Atasood, Jr.
12		(Printed or typed Name)
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15		(Entity, if any, on whose behalf you are appearing)
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## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 31 of 40

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 8/8 /330C

Signature

| AMCS | RAW
|
| Printed/Typed Name
| If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_\_\_ of (Title)

| (Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 33 of 40

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5				
6		Phone Number:		
7		Fax Number:		
8				Janus Daran
9			•	(Signature)
10				
11				JAMES J. BARAU
12				(Printed or typed Name)
13				
14	•			
15				(Entity, if any, on whose behalf you are appearing)
16		•		45 FALCOULLAY
17	·			YERRINGTON NV.
18			175-	(Address) 463-1363
19				(Telephone number)
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## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 34 of 40

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(Corporate, Trust, Partnership or other entity)

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## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 35 of 40

430110

20 BARTELS, WILLIAM J & GLADYS

6 COTTONWOOD LANE YERINGTON, NV

89447-0000

from the assessor's office of as published in the newspaper.

## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 36 of 40

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• •	W. & Bartels	
Date: 10-1-05	Signature U	
	W. Bartels	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

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NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

# Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 38 of 40

1	Attorney:		
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3	Address:		
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6	Phone Number:		
7	Fax Number:		
8			W. J. Basetele
9			(Signature)
10			. 1
11			W.J. Bartels
12			(Printed or typed Name)
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14			(Cation if any on whose
15			(Entity, if any, on whose behalf you are appearing)
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## Case 3:73-cv-00127-MMD-CSD Document 3 Filed 11/13/06 Page 39 of 40

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Date: 6/13/06	Beverly J. Baumgartner  Signature  BEVERLY I BAUMGARTNER  Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you are	е
	acting as:o	f
	(Title)	
•	(Corporate, Trust, Partnership or other entity)	

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